

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 29-32 are requested to be cancelled.

Claims 1, 6, 11 and 18 are currently being amended.

No claims are being added.

This amendment amends and cancels claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claims remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1-4, 6-9, 11-16, 18-23 and 25-28 are now pending in this application.

Applicant appreciates the indication in the Office Action that claims 29-32 contain allowable subject matter. By way of this amendment and reply, the features of claims 29-32 have been incorporated into independent claims 1, 6, 11 and 18, respectively, and therefore independent claims 1, 6, 11 and 18 are in condition for allowance.

In the Office Action, claims 1, 6, 11 and 18 were objected to because of the use of the phrase "annealing an assembly formed so far". By way of this amendment and reply, claims 1, 6, 11 and 18 have been amended to recite "annealing said semiconductor device formed so far". Accordingly, these claims are unobjectionable.

In the Office Action, claims 1-4, 6-9, 18-23, 25, 26, 28, 29, 30 and 32 were rejected under 35 U.S.C. § 112, second paragraph, because of the phrase "'uniformly forming a second nitride film having a predetermined thickness on the surface on which the first nitride film is etched' fails to reflect the subject matter of the invention, in which the second nitride film is not only formed on the first nitride film which is etched at the low density region (103), but also formed on the first nitride film at the high density region (102)."

By way of this amendment and reply, independent claims 1, 6, 11 and 18 have been amended to address the Examiner's concerns about this step, whereby that step now reads "uniformly forming a second nitride film having a predetermined thickness on said low density region, said second nitride film also being uniformly formed on said first nitride film on said high density region."

Accordingly, all of the presently pending claims fully comply with the requirements set forth in 35 U.S.C. § 112, second paragraph.

In the Office Action, claims 1-4, 11-16, 25 and 27 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Applicant's Admitted Prior Art in view of U.S. Patent No. 6,326,270 to Lee et al.; and claims 6-9, 18-23, 26, 28 and 30 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Applicant's Admitted Prior Art in view of Lee et al. and further in view of U.S. Patent No. 5,807,779 to Law. Due to the amendments made to independent claims 1, 6, 11 and 18 to now include the features of "objected to" (and now-canceled) claims 29, 30, 31 and 32, respectively, these rejections are now moot.

Accordingly, Applicant believes that the present application is now in condition for allowance, and an early indication of allowance is respectfully requested. The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

November 4, 2003
Date

Phillip J. Arcola
Phillip J. Arcola
Registration No. 38,819

FOLEY & LARDNER
Customer Number: 22428



22428

PATENT TRADEMARK OFFICE

Telephone: (202) 672-5300

Facsimile: (202) 672-5399